

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

ANDREW P. CAPUTO (CSBN 203655)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7004
Fax: (415) 436-7234
Email: andrew.caputo@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0573 SI
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
GARY OWENS, JR.,)	
)	
Defendant.)	

With the agreement of the parties, and with the consent of defendant Gary Owens, Jr., the Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from October 3, 2008, to October 31, 2008. The parties agree, and the Court finds and holds, as follows:

1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defendant's counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, in this case. Defendant's counsel requested this exclusion in order to allow him time to review discovery and to consult with his client about the case.

2. Given these circumstances, the Court found that the ends of justice served by

1 excluding the period from October 3, 2008, to October 31, 2008, outweigh the best interest of the
2 public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

3 3. Accordingly, and with the consent of the defendant, at the hearing on October 3,
4 2008, the Court ordered that the period from October 3, 2008, to October 31, 2008, be excluded
5 from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

6 IT IS SO STIPULATED.

7
8 DATED: October 23, 2008

/s/
EDWARD W. SWANSON
Attorney for Defendant

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11 DATED: October 22, 2008

/s/
ANDREW P. CAPUTO
Assistant United States Attorney

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14 IT IS SO ORDERED.



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16 DATED: _____

SUSAN ILLSTON
United States District Judge